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Attorneys for Defendant  
GENERAL NUTRITION CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MERCEDES NAVARRO,

Plaintiff,

v.

GENERAL NUTRITION CORPORATION,  
a Pennsylvania corporation, and DOES 1-50,  
inclusive,

Defendants.

) Case No.: C03-0603 SBA

)  
) **DECLARATION OF STUART**  
) **EISENDRATH, M.D. IN SUPPORT OF**  
) **GENERAL NUTRITION**  
) **CORPORATION'S MOTION TO**  
) **COMPEL DISCOVERY RESPONSES**  
) **OR ALTERNATIVELY TO STRIKE**  
) **PLAINTIFF'S CLAIMS FOR**  
) **PSYCHOLOGICAL AND/OR**  
) **EMOTIONAL DAMAGES**

) Date: TBD

) Time: TBD

) Courtroom: 3

) Judge: Sandra B. Armstrong

) Trial: May 17, 2004

I, Dr. Stuart Eisendrath, declare as follows:

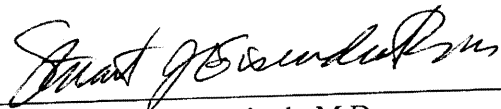
1. I received my B.S. degree in Medical Sciences from the University of Wisconsin-Milwaukee and my Medical Degree from the Medical College of Wisconsin. I am currently the Director of Clinical Services at the Langley Porter Psychiatric Hospital and Clinics.

1           2.       I have been retained by defendant General Nutrition Corporation ("GNC") for  
 2 the purpose of reviewing Plaintiff's medical records, for examining Plaintiff to assess her  
 3 alleged psychiatric condition, and for providing an opinion regarding Plaintiff's claims of pain  
 4 and suffering and/or emotional distress.

5           3.       I understand that Plaintiff has asserted that the psychiatric and psychological  
 6 records of her prior mental health care providers are not relevant to her current claims of  
 7 emotional distress. To the contrary, I believe it is essential to obtain all psychiatric records  
 8 regarding Plaintiff antedating May 2002 as well as after this date in order to help establish an  
 9 accurate clinical diagnosis. Plaintiff is claiming to have major depression and posttraumatic  
 10 stress disorder as a consequence of events in May and June of 2002. Since she was in active  
 11 treatment in 2002 and 2003 with Dr. Jane Brooks (a psychologist) of Kaiser Hayward/Fremont  
 12 before and during the period in question, it is essential to obtain those records. This would  
 13 allow a longitudinal picture of Plaintiff's psychiatric state and to correctly ascertain her clinical  
 14 diagnoses and etiological factors by a treating clinician. I also believe that Plaintiff's course,  
 15 evaluation and psychological testing by Dr. Susan Bergman in the 2000-2002 period is relevant  
 16 to giving a longitudinal picture of Plaintiff's psychiatric status antedating the alleged injury for  
 17 the same reasons.

18           I declare under penalty of perjury under the laws of the United States and the State of  
 19 California that the foregoing is true and correct.

20           Executed this 22<sup>th</sup> day of April, 2004 at San Francisco, California.

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22           Stuart Eisendrath, M.D.  
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